

AO 91 (Rev. 11/11) Criminal Complaint (Rev. by USAO on 3/12/20)

☐ Original☐ Duplicate Original

UNITED STATES DISTRICT COURT

for the

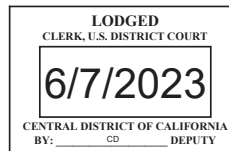
Central District of California

United States of America

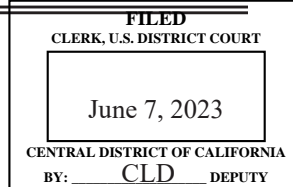
v.

ALEJANDRO CALVILLO TRUJILLO,

Defendant.



Case No. 2:23-mj-02932-DUTY



**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of August 20, 2022, in the county of Los Angeles in the Central District of California, the defendant violated:

Code Section

8 U.S.C. §§ 1326(a), (b)(2)

Offense Description

Attempted Reentry into the United States Following Deportation, With Prior Aggravated Felony Conviction

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet.

/s/ Dany Mancilla

Complainant's signature

Dany Mancilla, Border Patrol Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: June 7, 2023

City and state: Los Angeles, California

A handwritten signature in blue ink, appearing to read "Alka Sagar".

Judge's signature

ALKA SAGAR United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Dany Mancilla, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint and arrest warrant against Alejandro CALVILLO TRUJILLO, also known as ("CALVILLO TRUJILLO"), charging him with violating Title 8, United States Code, Sections 1326(a) and (b)(2), Attempted Reentry into the United States Following Deportation with Prior Aggravated Felony Conviction.

2. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from other law enforcement agents and witnesses.

3. This affidavit is intended to show that there is probable cause for the requested complaint and arrest warrant and does not purport to set forth all my knowledge of, or investigation into, this matter.

4. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

II. BACKGROUND OF BORDER PATROL DANY MANCILLA

5. I am a Border Patrol Agent with the United States Department of Homeland Security ("DHS"), Bureau of Customs and Border Protection ("CBP"), United States Border Patrol ("USBP"), and I have been so employed since 2008.

6. I am currently assigned to the Sector Intelligence Unit ("SIU"), Sector Intelligence Team Northwest ("SIT-NW"), at the San Clemente Border Patrol Station. I also serve as a Task Force Officer ("TFO") with the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), Homeland Security Investigations ("HSI"), Los Angeles Border Enforcement Security Taskforce under the Office of the Special Agent in Charge, ("LA BEST").

7. LA BEST is a multiagency task force aimed at identifying, targeting, and eliminating vulnerabilities to the security of the United States, including, but not limited to, the Los Angeles/Long Beach seaport complex and the surrounding transportation and maritime corridors.

III. SUMMARY OF PROBABLE CAUSE

8. CALVILLO TRUJILLO was convicted of a sex offense involving a minor on September 9, 2021. Pursuant to a Final Administrative Removal Order, CALVILLO TRUJILLO was removed from the United States on June 6, 2022. As discussed below, CALVILLO TRUJILLO attempted to illegally reenter the United States on a panga boat on August 20, 2022.

IV. STATEMENT OF PROBABLE CAUSE

A. Attempted Illegal Reentry into the United States by Panga Boat

9. On or about August 20, 2022, at approximately 9:10 a.m., the United States Coast Guard ("Coast Guard") received a distress call concerning a disabled panga-style vessel dead in the water off the coast of Malibu, California. CBP, Special

Enforcement Group ("SEG") and the Los Angeles/Long Beach Regional Coordinating Mechanism ("LA/LB ReCoM") maritime partners were notified of the disabled vessel in distress.

10. At approximately 11:00 a.m., utilizing a helicopter, the Coast Guard verified the vessel as a disabled panga with multiple people onboard. The panga boat never made landfall, and instead, the Coast Guard rescued the individuals and transported them to the Coast Guard Sector LA/LB Terminal Island base.

11. Based on my knowledge and experience, panga boats are small vessels found in the coastal areas of Baja California Mexico, and are primarily used as fishing vessels throughout that region. Panga vessels found within the California Coastal Region are not utilized for their intended purpose and are often found abandoned or washed ashore on several California beaches. Based on my training and experience and speaking with others in the law enforcement community, I know that panga vessels encountered within the California Coastal Region are often utilized to facilitate the illegal entry of humans and narcotics into the United States.

12. Based on my review of law enforcements reports, the panga boat had a total of 19 occupants, including CALVILLO TRUJILLO. Five passengers were females and fourteen were males.

13. According to law enforcement reports, at approximately 3:30 p.m., CBP-SEG Officer William Villarreal, conducted an immigration inspection of all 19 suspected undocumented non-citizen migrants, including CALVILLO TRUJILLO. Each panga boat

occupant provided their names and biographical information to Officer Villareal. Each of the 19 panga boat occupants told Officer Villareal they were citizens and nationals of Mexico and were present in United States illegally.

14. Database checks confirmed that all 19 individuals, including CALVILLO TRUJILLO, lacked immigration documents that would allow them to enter or remain in the United States legally.

15. CALVILLO TRUJILLO's fingerprints were also taken in connection to the August 20, 2022, attempted illegal entry into the United States by panga boat. Based on my training and experience, I know that when an individual is fingerprinted by ICE, or the former INS, the individual is issued a Fingerprint Identification Number ("FIN"). The FIN is then automatically associated with the individual's DHS A-Number. In this case, CALVILLO TRUJILLO's fingerprints were assigned the FIN 1776738, which was then linked to A-Number 079 348 265 based on prior fingerprints located in the DHS "A-File" bearing the number 079 348 265.

16. I thus confirmed that based on the fingerprint match, the individual encountered was CALVILLO TRUJILLO, a previously deported alien, who was assigned A number 079 348 265.

17. DHS databases further indicated that CALVILLO TRUJILLO was previously convicted of a felony sex offense against a minor in Merced County, California. Specifically, DHS records and databases indicate that CALVILLO TRUJILLO was wanted by the Livingston Police Department in Merced County, California and

that there was an extraditable state warrant for his arrest. The warrant was in connection to his prior felony conviction for violating California Penal Code Section 288(a), lewd act upon a child. Border Patrol Agent A. Rainoff confirmed via telephone communication with the Livingston Police Department the warrant and extradition order was still in effect with the Livingston Police Department. Based on this confirmation, CALVILLO TRUJILLO was transferred into local law enforcement's custody for his extraditable warrant.

B. Prior Removal or Deportation from the United States

18. Based on my training and experience, I know that a DHS "A-File" is a file in which immigration records are maintained for aliens admitted to or found in the United States. I also know that a DHS A-File usually contains photographs, fingerprints, court records of conviction, and records relating to deportation or other actions by INS or DHS with respect to the subject alien for whom the DHS A-File is maintained.

19. On or about August 24, 2022, I obtained and reviewed DHS A-File A079 348 265, which is maintained for the subject alien "Alejandro CALVILLO TRUJILLO." The A-File contained the following documents and information:

a. Photographs of the subject alien to whom DHS A-File A079 348 265 corresponds. I compared the photographs in CALVILLO TRUJILLO's A-File to photographs taken of the individual identified as CALVILLO TRUJILLO during the August 20, 2022, panga boat attempted entry. I thus determined that DHS A-

File A079 348 265 and its contents correspond to CALVILLO TRUJILLO.

b. One executed Warrant of Removal/Deportation (Form I-205) and one executed Warning to Alien Ordered Removed or Deported (Form I-294) indicating that CALVILLO TRUJILLO was officially removed or deported from the United States on or about June 6, 2022, after his conviction for lewd acts on a minor, an aggravated felony defined under Immigration and Nationality Act Section 101(a)(43)(A). I know from my training and experience that a Warrant of Removal/Deportation is executed each time a subject alien is removed and deported from the United States by ICE (and its predecessor agency, the INS) and usually contains the subject's photograph, signature, and/or fingerprint. The executed Warrant of Removal/Deportation and Notices to Alien Ordered Removed/Departure Verification in CALVILLO TRUJILLO's DHS A-File contains a photograph of CALVILLO TRUJILLO, a signature in his name, and a fingerprint.

c. A certified conviction record showing that CALVILLO TRUJILLO was convicted on or about September 9, 2021, of committing a lewd and lascivious act on a child 14 years or younger, in violation of California Penal Code Section 288(a), a felony, in the Superior Court of the State of California, County of Merced, Case Number 21CR-02165, for which CALVILLO TRUJILLO was sentenced to 1 year imprisonment. This is an aggravated felony for Sexual Abuse of a minor as defined in Immigration and Nationality Act Section 101(a)(43)(A).

d. Various documents, in addition to the Warrant of Removal/Deportation, indicating that CALVILLO TRUJILLO is a native and citizen of Mexico. These documents include: (i) a Final Administrative Removal Order, dated June 6, 2022, ordering CALVILLO TRUJILLO removed to Mexico; (ii) a Record of Sworn Statement dated June 6, 2022, in which CALVILLO TRUJILLO admitted to being a citizen of Mexico; and (iii) a Mexican birth certificate in CALVILLO TRUJILLO's name.

20. I reviewed the printouts of the Interstate Identification Index ("III"). Based on my training and experience, I know that the III database tracks and records arrests and convictions of individuals according to an individual's State Identification number or Federal Bureau of Investigation number. The III printouts confirmed that CALVILLO TRUJILLO had been convicted of the crime reflected on the documents contained in CALVILLO TRUJILLO's DHS A-File, described above.

C. CALVILLO TRUJILLO Does Not Have Permission to Lawfully Reenter the United States

21. I reviewed the printouts of ICE computer indices on CALVILLO TRUJILLO. Based on my training and experience, I know that the ICE computer indices track and document each time an alien is removed or excluded from the United States by ICE, or deported by the former INS, or is granted permission to enter or re-enter the United States. The ICE computer indices confirmed that CALVILLO TRUJILLO had been removed and deported on the date indicated on the Warrant of Removal/Deportation found in

CALVILLO TRUJILLO's DHS A-File and described above. The ICE computer indices further indicated that CALVILLO TRUJILLO had not applied for or obtained from the Attorney General or the Secretary of Homeland Security, permission to re-enter the United States legally since CALVILLO TRUJILLO had last been deported.

22. Based on my review of CALVILLO TRUJILLO's DHS A-File, I determined that his A-File does not contain any record of his ever applying for or receiving from the Attorney General or the Secretary of Homeland Security, permission to legally re-enter the United States. Based on my training and experience, I know that such documentation is required to re-enter the United States legally after deportation, and that if such documentation existed, it would ordinarily be found in CALVILLO TRUJILLO's DHS A-File.

V. CONCLUSION

23. For all the reasons described above, there is probable cause to believe that ALEJANDRO CALVILLO TRUJILLO has violated Title 8, United States Code, Sections 1326(a) and (b)(2), Attempted Reentry into the United States Following Deportation with Prior Aggravated Felony Conviction.

Attested to by the applicant in
accordance with the requirements
of Fed. R. Crim. P. 4.1 by
telephone on this 7th day of
June 2023.


UNITED STATES MAGISTRATE JUDGE
ALKA SAGAR